

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
SOUTHWESTERN DIVISION**

Sylvia Bayley,

Plaintiff,

vs.

MDU Resources Group, Inc,

Defendant.

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**ORDER ADOPTING REPORT
AND RECOMMENDATION**

Case No. 1:13-cv-02

The Plaintiff, Sylvia Bayley, initiated this action against the Defendant, Montana Dakota Utilities Resources Group, Inc. (“MDU”), on January 3, 2013. See Docket No. 1. On June 9, 2014, MDU filed a motion for summary judgment. See Docket No. 28. The motion was referred to Magistrate Judge Karen K. Klein for a Report and Recommendation. See Docket No. 51. On November 14, 2014, Judge Klein issued her Report and Recommendation in which she recommended MDU’s motion for summary judgment be granted and Bayley’s complaint dismissed with prejudice. See Docket No. 66. The parties were given until December 16, 2014, to file any objections to the Report and Recommendation See Docket No. 68. Bayley filed her objections on December 16, 2014. See Docket No. 69. Bayley’s objections focus exclusively on her claim of age discrimination against MDU. MDU filed a response to the objections on January 2, 2015. See Docket No. 70.

The Court has carefully reviewed the Report and Recommendation, relevant case law, and the entire record, and finds the Report and Recommendation to be persuasive. MDU is entitled to summary judgment on all four claims alleged in Bayley’s complaint. Accordingly, the Court **ADOPTS** the Report and Recommendation (Docket No. 66) in its entirety. MDU’s motion for

summary judgment (Docket No. 28) is **GRANTED**.

IT IS SO ORDERED.

Dated this 2nd day of February, 2015.

/s/ Daniel L. Hovland
Daniel L. Hovland, District Judge
United States District Court